

FIFTY-FOURTH DAY

(Monday, April 26, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent—Excused

Dies

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 22, 1965, was dispensed with and the Journal was approved.

Leave of Absence

Senator Dies was granted leave of absence for today on account of illness in the family on motion of Senator Hardeman.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 210, A bill to be entitled "An Act validating all sales or conveyances or attempted sales or conveyances of abandoned right-of-way property made by counties of this State under the provisions of and priorities established in Article 1577,

R. S., 1925, as amended by Acts 1953, 53rd Leg., p. 477, Ch. 133; providing that this Act shall not apply to any sale or conveyance which is involved in litigation pending on the effective date of this Act; and declaring an emergency."

H. B. No. 156, A bill to be entitled "An Act relating to the creation of the Mathis Hospital District in San Patricio County; providing for the administration and financing of the District; and declaring an emergency."

H. B. No. 314, A bill to be entitled "An Act to amend Article 4436 of the Revised Civil Statutes of Texas of 1925, as amended by Section 1 of Chapter 453, page 972, Acts of the 56th Legislature, Regular Session, 1959, to authorize all incorporated cities, towns, and villages to regulate certain properties within their corporate limits for the purpose of promoting the health, safety, and welfare of the inhabitants of said cities, towns, and villages; and declaring an emergency."

H. B. No. 338, A bill to be entitled "An Act relating to the bond required for commission merchants dealing in vegetables; amending Section 6, Chapter 218, Acts of the 58th Legislature, 1963; and declaring an emergency."

H. B. No. 375, A bill to be entitled "An Act relating to and fixing minimum and maximum salary of the official shorthand reporters for the 128th and 163rd Judicial Districts of Texas; providing for severability; and declaring an emergency."

H. B. No. 429, A bill to be entitled "An Act relating to election of school trustees in certain districts; and declaring an emergency."

H. B. No. 453, A bill to be entitled "An Act relating to fees to be charged by the State Board of Insurance; amending Article 4.07, Texas Insurance Code; and declaring an emergency."

H. B. No. 486, A bill to be entitled "An Act relating to the possession of shrimp in certain waters, lawfully taken from the waters of another state; amending Section 11A, Texas Shrimp Conservation Act, as amended; and declaring an emergency."

H. B. No. 518, A bill to be entitled "An Act releasing the right and priv-

ilege of the State of Texas of ingress and egress for purposes of exploring, producing and developing oil, gas and other minerals on and over the surface of certain land heretofore granted to the City of Corpus Christi out of the submerged lands in Corpus Christi Bay; providing that nothing herein shall be construed to constitute a grant of oil, gas and other minerals; providing that this grant shall not affect the rights and privileges of any lessee under any oil and gas lease granted prior to the effective dates of this Act; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 559, A bill to be entitled "An Act relating to the jurisdiction of the county court of Red River County; repealing Chapter 498, Acts of the 44th Legislature, 3rd Called Session, 1936; Chapter 457, Acts of the 45th Legislature, Regular Session, 1937; and Chapter 23, page 196, General Laws, Acts of the 46th Legislature, 1939; and declaring an emergency."

H. B. No. 596, A bill to be entitled "An Act relating to deer in Chambers County; amending Sections 1 and 2, Chapter 143, Acts of the 57th Legislature, Regular Session, 1961; and declaring an emergency."

H. B. No. 618, A bill to be entitled "An Act amending Chapter 188, Acts of the Forty-fourth Legislature, Regular Session, 1935 (codified as Article 1010a of Vernon's Texas Code of Criminal Procedure) by adding thereto a new Section 2a to provide that in counties containing a population in excess of one million two hundred thousand (1,200,000) inhabitants according to the last preceding Federal Census, the county auditor may prescribe from time to time a system of accounting for the collection of either or both fines and fees to supersede the system set out in Section 1 and 2 of said Act, and that subsequent thereto officers collecting either or both fines and fees in any such county shall utilize solely the system prescribed by the county auditor; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 661, A bill to be entitled "An Act authorizing the commissioners courts of certain counties to adopt a zoning ordinance and a building

code for their counties; and declaring an emergency."

H. B. No. 673, A bill to be entitled "An Act changing the name of the El Paso County Court at Law; and declaring an emergency."

H. B. No. 772, A bill to be entitled "An Act creating the Texas Water Resources Research Institute; providing for its location at and identification with a state-supported college or university in the State of Texas; prescribing its duties, authority, and responsibility; providing for an Executive Committee and its membership; establishment of such other offices as the Executive Committee may direct; providing for an Executive Director and staff; providing for a research advisory committee and its membership; authorizing contracts with departments and agencies of the United States of America, with departments and agencies of the State of Texas and other states, and with educational institutions; designating the Institute as the agency to receive all water research funds granted to or for the State of Texas by the United States of America pursuant to Title I of Public Law 88-379 and other congressional enactments; providing for the appointment by the Executive Committee of an officer to receive and account for all funds provided by the United States of America and to file all necessary reports with the United States of America; requiring that subject to applicable state and federal laws, all monies owned or held by the Institute shall be deposited in the State Treasury and shall be committed, used, and expended by the Institute in accordance with the purpose for which received, but only after prior authorization by a majority of the Committee; authorizing the Institute to accept appropriations, grants, and gifts; authorizing the Institute to prepare and submit budget requests to the Governor, to the Legislative Budget Board and to the Legislature; providing that no approval by the Institute shall be required with respect to water research projects not directly financed either in whole or in part with funds controlled by the Institute; and declaring an emergency."

H. B. No. 773, A bill to be entitled "An Act limiting the provisions of this Act to Shackelford County; mak-

ing it unlawful, except under the provisions of this Act, for any person to hunt, take, kill or possess any game bird or game animal in said County at any time; to take, kill or trap any fur-bearing animal in said County; to take or attempt to take any fresh-water fish or other aquatic life in public waters of said County by any means or method; prescribing the legislative policy with respect to the wildlife resources in said County; conferring upon the Parks and Wildlife Commission authority to regulate by proclamation, order, rule or regulation, the taking of the wildlife resources of said County; requiring the Commission to make investigation with respect to the depletion and waste of the wildlife resources of said County; authorizing the Commission to provide an open season or period of time when it shall be lawful to take a portion of the wildlife resources of said County; defining depletion and waste; providing for the issuance of antlerless deer permits; providing for the adoption of proclamations, orders, rules or regulations of the Commission and the effective period thereof; providing for the publication of the regulation; providing venue for suits to test the validity of this Act or of the proclamations, rules, regulations or orders of the Commission; providing penalties; providing for the forfeiture of licenses; defining wildlife resources; repealing certain laws; prescribing a period of time within which the Commission may conclude its investigations, hold its hearings, and promulgate its proclamations, rules, regulations and orders; providing a savings clause; and declaring an emergency."

H. B. No. 783, A bill to be entitled "An Act relating to the salary of the stenographer of the District Attorney of the 118th Judicial District; and declaring an emergency."

H. B. No. 836, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas to acquire by gift, purchase, or otherwise from the Federal Government certain properties in the City of Austin, Travis County, Texas; and declaring an emergency."

H. B. No. 864, A bill to be entitled "An Act amending Subsection 2 of Article 139 of Chapter 8, Title 4, Revised Civil Statutes of Texas, 1925,

relating to State Experiment Stations; and declaring an emergency."

H. B. No. 902, A bill to be entitled "An Act adding Panola County to the list of counties which are exempt from the application of the law regulating sale of herbicides; amending Section 17, Chapter 349, Acts of the 53rd Legislature, Regular Session, 1953; and declaring an emergency."

H. B. No. 931, A bill to be entitled "An Act relating to an additional tax for any common or independent school district having 200 scholastics or less in certain counties; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Presentation of Guest

Senator Hightower by unanimous consent presented his mother, Mrs. Walter Hightower of Memphis to the Members of the Senate.

Senate Bill 527 on First Reading

Senator Cole moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Reagan
Creighton	Richter
Crump	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

Absent

Ratliff

Absent—Excused

Dies

The following bill was then intro-

duced, read first time and referred to the Committee indicated:

By Senator Cole:

S. B. No. 527, A bill to be entitled "An Act relating to the authority and responsibilities of and the records kept by the State Commission for the Blind; amending Sections 2 and 2a, Chapter 80, General Laws, Acts of the 42nd Legislature, Regular Session, 1931, as amended; amending Section 2, Chapter 216, Acts of the 49th Legislature, 1945, as amended; amending Section 3, Chapter 23, Acts of the 41st Legislature, 1st Called Session, 1929, as amended; amending Section 1, Chapter 241, Acts of the 49th Legislature, 1945; and declaring an emergency."

To the Committee on State Affairs.

Senate Bill 528 on First Reading

Senator Colson moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit her introducing at this time, a bill, the provisions of which she explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Reagan
Creighton	Richter
Crump	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

Absent

Ratliff

Absent—Excused

Dies

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Colson:

S. B. No. 528, A bill to be entitled "An Act relating to the supervision,

management, and financing of the Alabama-Coushatta Indian Reservation; and declaring an emergency."

To the Committee on Jurisprudence.

Senate Bill 529 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Bates:

S. B. No. 529, A bill to be entitled "An Act relating to the salary of the Judge of the County Court at Law of Hidalgo County; amending Section 11, Chapter 25, Acts of the 52nd Legislature, 1951; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 530 on First Reading

Senator Aikin moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent—Excused

Dies

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senators Aikin, Richter and Herring:

S. B. No. 530, A bill to be entitled "An Act amending Section 3, S. B. 290, Chapter 530, Acts of the 54th Legislature, 1955, as amended (Article 2922-1, Vernon's Texas Civil Stat-

utes), by adding Subsection 2 (d) making certain teachers eligible for membership in the Teachers Retirement System; and declaring an emergency."

To the Committee on Education.

Senate Bill 531 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Schwartz:

S. B. No. 531, A bill to be entitled "An Act relating to the compensation of the district judges of the 10th, 56th, and 122nd Judicial Districts; amending Section 1, Chapter 41, Acts of the 57th Legislature, Regular Session, 1961; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 532 on First Reading

Senator Schwartz moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent—Excused

Dies

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senators Schwartz, Reagan, Blanchard and Hall:

S. B. No. 532, A bill to be entitled "An Act providing for the creation of

county industrial survey committees; and declaring an emergency."

To the Committee on State Affairs.

Senate Concurrent Resolution 79

Senator Colson offered the following resolution:

S. C. R. No. 79, Requesting Legislative Council to study needs and facilities for care of delinquent, dependent, and neglected children in Texas.

Whereas, The population of the State of Texas is increasing at a rapid rate, with the greatest percentage occurring in the younger age brackets; and

Whereas, It is estimated by responsible authority that by the year 1975, 50% of our population will be under the age of 25; and

Whereas, The State of Texas must meet its continuing obligation to the delinquent and dependent and neglected children of this State; and

Whereas, This is a vast and populous State, and the existing facilities for such children are presently operating at maximum capacity; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Texas Legislative Council be requested to make a study of present and future needs regarding facilities for the care of delinquent and dependent and neglected children in Texas; and, be it further

Resolved, That the Texas Legislative Council report to the Sixtieth Legislature the results of its study and its recommendations.

The resolution was read.

On motion of Senator Colson and by unanimous consent the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 78

Senator Cole offered the following resolution:

S. C. R. No. 78, Authorizing Coordinating Board, Texas College and University System to establish vocational training for handicapped persons at James Connally Air Force Base as a part of Texas A & M University System.

Whereas, Texas has large numbers

of handicapped persons in need of vocational rehabilitation and vocational training to enable them to secure gainful employment and thus become self-supporting; and

Whereas, The State of Texas seeks to provide vocational rehabilitation, including necessary vocational training, through programs directed by the Division of Vocational Rehabilitation, Texas Education Agency, and the State Commission for the Blind; and

Whereas, Many of these persons, in addition to numbers of other handicapped Texans who do not necessarily need physical rehabilitation but who need to acquire new job skills because of their disabilities, could profit greatly from additional vocational training facilities and opportunities in the state; and

Whereas, A proposal passed by the 59th Legislature will provide that Texas A. & M. University operate a vocational-technical institute at the location which will become available when James Connally Air Force Base at Waco is closed down as a military installation; and

Whereas, The establishment of this vocational-technical training facility, centrally located in the state, will provide excellent opportunities for education and acquisition of job skills by all Texans, including those who are handicapped; now, therefore, be it

Resolved, by the Senate of the State of Texas, the House of Representatives concurring, That the Coordinating Board, Texas College and University System, be authorized to establish vocational and vocational technical courses for the training of handicapped persons at the institution of higher education to become operative at the present James Connally Air Force Base at Waco as a part of the Texas A. & M. University System; and be it further

Resolved, That the Vocational Rehabilitation Division of the Texas Education Agency, the State Commission for the Blind and all other state agencies having responsibilities for rehabilitation, training or retraining of the handicapped be directed to cooperate with the Coordinating Board, Texas College and University System, in planning and establishing criteria for such courses.

The resolution was read.

On motion of Senator Cole and by unanimous consent the resolution was considered immediately and was adopted.

Reports of Standing Committees

Senator Blanchard by unanimous consent submitted the following reports:

Austin, Texas,
April 22, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Insurance, to which was referred S. B. No. 503, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BLANCHARD, Chairman.

Austin, Texas,
April 22, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Insurance, to which was referred H. B. No. 430, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BLANCHARD, Chairman.

Austin, Texas,
April 22, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Insurance, to which was referred H. B. No. 471, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BLANCHARD, Chairman.

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on Counties, Cities and Towns to which was referred S. B. No. 531, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred S. B. No. 529, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. B. No. 354, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senator Herring by unanimous consent submitted the following reports:

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 71, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 32, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 72, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Messages From the Governor

The following Messages received from the Governor today were read and were referred to the Committee on Nominations:

Austin, Texas,
April 22, 1965.

To the Senate of the Fifty-ninth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Texas Water Development Board: for terms to expire December 30, 1969: Mills Cox of Gay Hill, Washington County; Groner A. Pitts of Brownwood, Brown County. To fill the unexpired term of Marvin Nichols, resigned, term to expire December 30, 1965: Robert B. Gilmore of Dallas, Dallas County.

Respectfully submitted,
JOHN CONNALLY,
Governor of Texas.

Austin, Texas,
April 26, 1965.

To the Senate of the Fifty-ninth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Branch Pilots on the Houston Ship Channel and the Galveston Bar: for two-year terms to expire April 5, 1967: Jay C. Browning of Houston, Harris County; H. E. Andersen of Houston, Harris County.

Respectfully submitted,
JOHN CONNALLY,
Governor of Texas.

Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills:

S. B. No. 132, A bill to be entitled "An Act authorizing the Parks and Wildlife Commission to quitclaim the State's interest in Independence State Park, known as the Old Baylor property, to Baylor University; and declaring an emergency."

S. B. No. 192, A bill to be entitled "An Act relating to the compensation of the Commissioners of San Patricio County Conservation and Reclamation

District No. 1; and declaring an emergency."

S. B. No. 212, A bill to be entitled "An Act authorizing the Board of Regents of East Texas State College to exchange certain state-owned land for certain land owned by Mr. Lloyd J. Wilkins of Commerce, Hunt County, Texas; and declaring an emergency."

S. B. No. 292, A bill to be entitled "An Act authorizing the Board of Directors of Texas A&M University to convey flood control easements over land under the jurisdiction and control of the Board of Directors, to Water Control and Improvement Districts of this State; making other provisions relating thereto; and declaring an emergency."

S. B. No. 424, A bill to be entitled "An Act relating to the fixing minimum and maximum salary of the Official Shorthand Reporter for the 97th Judicial District of Texas; and declaring an emergency."

House Bill 354 Ordered Not Printed

On motion of Senator Calhoun and by unanimous consent H. B. No. 354 was ordered not printed.

Senate Bill 225 with House Amendments

Senator Schwartz called S. B. No. 225 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

Committee Amendment No. 1

Amend S. B. 225 by striking all below the enacting clause and inserting in lieu thereof:

Section 1. Any physician who examines or treats a child under the age of 18 years for any injury may report the injury to the judge of the juvenile court, district attorney, the county attorney, or the probation officer of the county if he believes that the injury is other than accidental and that the injury is due to maltreatment or neglect.

Section 2. The physician may make an immediate oral report followed as soon as possible by a written report. The reports shall contain the name

and address of the child, the name and address of the child's parents or guardian, the age of the child, the nature and extent of the injury, and any other information pertinent to establishing the cause of the injury. If any of the information required by this section is unknown to the physician making the report he shall so state.

Section 3. A physician is immune from civil and criminal liability for reporting as defined by this Act.

Section 4. The importance of this legislation and the crowded condition of the calendar in both houses creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended.

Committee Amendment No. 2

Amend Senate Bill No. 225 by inserting on line 33 after the words county attorney, local law enforcement agency.

The amendments were read.

Senator Schwartz moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Bill 367 with House Amendment

Senator Schwartz called S. B. No. 367 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Committee Amendment No. 1

Amend Senate Bill 367 by striking the words "constructing and building" from Section 1 thereof, and substituting the words, "constructing, building, maintaining and operating," and further striking all the words in Section 1 on the line reading, "Thence, North 65°00' West a distance of 200.00" and substituting in lieu thereof the words, "Thence, North 25°00' East a distance of 200.00."

The amendment was read.

Senator Schwartz moved that the Senate concur in the House amendment.

The motion prevailed.

**Senate Bill 280 with
House Amendment**

Senator Schwartz called S. B. No. 280 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Committee Amendment No. 1

Amend S. B. No. 280 by adding the following to paragraph (e) of Section 1:

"The provisions of this subsection shall not prevent the application of subsection (b) above to the proceeds of life or accident insurance which are community property."

The amendment was read.

Senator Schwartz moved that the Senate concur in the House amendment.

The motion prevailed.

Senate Bill 529 Ordered Not Printed

On motion of Senator Bates and by unanimous consent S. B. No. 529 was ordered not printed.

Senate Bill 531 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent S. B. No. 531 was ordered not printed.

**House Concurrent Resolution 94
on Second Reading**

The President laid before the Senate on its second reading:

H. C. R. No. 94, Creating a committee for the restoration of the flag of Santa Anna.

The resolution was read.

On motion of Senator Herring and by unanimous consent the resolution was considered immediately and was adopted.

**Motion to Place
House Concurrent Resolution 83
on Second Reading**

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 83, Providing for a ten-member Interim Committee to study the housing and physical care of criminally insane persons.

The resolution was read.

Senator Rogers asked unanimous consent to consider the resolution immediately.

There was objection.

Senator Rogers then moved to consider the resolution immediately.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—16

Cole	Moore
Colson	Patman
Hall	Richter
Harrington	Rogers
Hazlewood	Schwartz
Herring	Snelson
Hightower	Spears
Kennard	Watson

Nays—12

Aikin	Kazen
Blanchard	Krueger
Calhoun	Parkhouse
Creighton	Reagan
Crump	Strong
Hardeman	Word

Absent

Bates	Ratliff
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Absent—Excused

Dies

The resolution was then referred to the Committee on Education.

**House Concurrent Resolution 93
on Second Reading**

The President laid before the Senate on its second reading:

H. C. R. No. 93, Inviting Governor Frank B. Morrison of Nebraska to address the Legislature.

The resolution was read.

On motion of Senator Harrington and by unanimous consent the resolution was considered immediately and was adopted.

Senate Bill 533 on First Reading

Senator Moore by unanimous consent moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent—Excused

Dies

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Moore:

S. B. No. 533, A bill to be entitled "An Act creating the office of district attorney for the 85th Judicial District of Texas; repealing Section 3, Chapter 44, Acts of the 51st Legislature, Regular Session, 1949; and declaring an emergency."

To the Committee on Finance.

Senate Bill 498 on Second Reading

On motion of Senator Hardeman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 498, A bill to be entitled "An Act to amend Section 1 and Subsections (a) and (c) of Section 22, of Chapter 173, page 245, Acts of the Forty-Seventh Legislature, 1941, as

amended, codified as Article 6687b, Vernon's Annotated Civil Statutes, so as to add a definition and to make more certain the Legislative intent that the Department shall not have the authority to determine the length of license suspension as set out in said sections; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 498 on Third Reading

Senator Hardeman moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 498 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Reagan
Creighton	Richter
Crump	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

Absent

Ratliff

Absent—Excused

Dies

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Hall
Bates	Hardeman
Blanchard	Harrington
Calhoun	Hazlewood
Cole	Herring
Colson	Hightower
Creighton	Kazen
Crump	Kennard

Krueger	Schwartz
Moore	Snelson
Parkhouse	Spears
Patman	Strong
Reagan	Watson
Richter	Word
Rogers	

Absent

Ratliff

Absent—Excused

Dies

Senate Bill 187 on Second Reading

On motion of Senator Herring and by unanimous consent the President laid before the Senate as Unfinished Business S. B. No. 187 on its second reading and passage to engrossment (the bill having been read the second time on Tuesday, April 20, 1965, with an amendment by Senator Schwartz pending).

Question—Shall the amendment by Senator Schwartz to S. B. No. 187 be adopted?

Question on adoption of the amendment by Senator Schwartz, Yeas and Nays were demanded.

The amendment failed of adoption by the following vote:

Yeas—11

Aikin	Harrington
Bates	Kennard
Blanchard	Schwartz
Cole	Strong
Colson	Word
Hall	

Nays—16

Calhoun	Krueger
Creighton	Moore
Crump	Parkhouse
Hardeman	Patman
Hazlewood	Reagan
Herring	Richter
Hightower	Snelson
Kazen	Watson

Absent

Ratliff	Spears
Rogers	

Absent—Excused

Dies

(Pending discussion by Senator Schwartz of S. B. No. 187, Senator Harrington occupied the Chair.)

(President in the Chair.)

The bill was passed to engrossment.

Record of Vote

Senator Schwartz asked to be recorded as voting "Nay" on the passage of S. B. No. 187 to engrossment.

Senate Bill 187 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 187 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Reagan
Crump	Richter
Hall	Snelson
Hardeman	Spears
Harrington	Strong
Hazlewood	Watson
Herring	Word
Hightower	

Nays—2

Rogers	Schwartz
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Absent

Ratliff

Absent—Excused

Dies

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Schwartz asked to be recorded as voting "Nay" on the final passage of S. B. No. 187.

Recess

On motion of Senator Aikin the Senate at 12:01 o'clock p.m. took recess until 3:00 o'clock p.m. today.

After Recess

The President called the Senate to order at 3:00 o'clock p.m. today.

Senate Bill 119 on Second Reading

On motion of Senator Cole and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 119, A bill to be entitled "An Act to provide that a tax collector may issue to certain people under certain circumstances a certificate showing that neither their land nor themselves are liable for delinquent taxes and that the liability for such taxes is thereafter a personal liability of the person under whom the taxes became delinquent and thereby making a court action to accomplish the same thing unnecessary; requiring the tax collector to issue an affidavit certifying that there has been no fraud or collusion; and declaring an emergency."

The bill was read second time.

Senator Cole offered the following Committee Amendment to the bill:

Amend Section 2(a) by changing the period at the end of the last sentence to a comma and adding thereafter the following: "except as hereinafter provided."

The Committee Amendment was read and was adopted.

On motion of Senator Cole and by unanimous consent the caption was amended to conform to the body of the bill as amended.

On motion of Senator Cole and by unanimous consent further consideration of S. B. No. 119 was postponed until Tuesday, April 27, 1965, following the Morning Call.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 161, A bill to be entitled "An Act relating to the creation of

the Taft Hospital District in San Patricio County; providing for the administration and financing of the District; and declaring an emergency."

H. B. No. 171, A bill to be entitled "An Act to prohibit the dismissal of civil law suits under certain circumstances; providing circumstances under which law suits may be dismissed; providing procedures for such dismissals; providing exceptions; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 188, A bill to be entitled "An Act relating to the operation of vending stands and vending machines on state property by blind persons; repealing Chapter 47, Acts of the 50th Legislature, 1947, as amended; and declaring an emergency."

H. B. No. 216, A bill to be entitled "An Act to amend Chapter 1, Section 12, Mental Health Code of Texas, to provide that certain records in mentally ill dockets of county clerks are public records of a private nature which may be used, inspected and copied when in the public interest, only by order of the county judge, probate judge, or a district judge of a county in which the records are; providing for the repeal of all laws or parts of laws in conflict; providing for severability; and declaring an emergency."

H. B. No. 244, A bill to be entitled "An Act relating to authorizing the governing body of any Home Rule City to set the date of election of city officers; providing that Home Rule Cities and certain school districts may conduct joint elections and prescribing certain procedure for the conduct of such joint elections; repealing conflicting laws; and declaring an emergency."

H. B. No. 299, A bill to be entitled "An Act relating to disability retirement benefits paid to school bus drivers who are members of the Teacher Retirement System of Texas; amending Subsection 1, Section 6, Chapter 470, Acts of the 45th Legislature, Regular Session, 1937, as amended and re-enacted; and declaring an emergency."

H. B. No. 312, A bill to be entitled "An Act relating to the compensation paid from county funds to the dis-

strict and criminal district court judges in Dallas County; and declaring an emergency."

H. B. No. 325, A bill to be entitled "An Act relating to hunting quail in Cass, Marion, and Morris Counties; and declaring an emergency."

H. B. No. 339, A bill to be entitled "An Act relating to the bond required on commission merchants, dealers, and contract dealers of fruits; amending Section 4, Chapter 236, Acts of the 45th Legislature, Regular Session, 1937, as amended; and declaring an emergency."

H. B. No. 340, A bill to be entitled "An Act relating to the hunting of deer on the Red River Arsenal and Lone Star Ordnance Plant properties in Bowie County; amending Chapter 336, Acts of the 58th Legislature, 1963; and declaring an emergency."

H. B. No. 345, A bill to be entitled "An Act amending Article 2135, Revised Civil Statutes of Texas, 1925, as amended, relating to exemption from jury service, by amending Subdivision 16 thereof so as to grant an exemption to either the husband or the wife where both spouses are summoned to serve on the same jury panel; and declaring an emergency."

H. B. No. 348, A bill to be entitled "An Act to establish a new mental hospital and psychiatric and behavioral sciences research institute to be located in Dallas; providing for its construction, maintenance and operation; and declaring an emergency."

H. B. No. 365, A bill to be entitled "An Act relating to filing fees for candidates for State Representative or State Senator in primary elections in certain counties; amending Article 186a, Texas Election Code, as amended; and declaring an emergency."

H. B. No. 368, A bill to be entitled "An Act providing for the rendering of judgment for attorney's fees, not to exceed Fifty Dollars (\$50), plus costs of suit, in favor of landlords and against tenants in forcible entry and detainer suits and in forcible detainer suits where tenants are unlawfully holding over the premises of the landlord at the time the suit is filed but vacate the premises prior to the rendition of judgment when the landlord follows certain pre-

scribed procedures; providing that this Act shall be cumulative of all other remedies available to the landlord; providing for severability; providing a savings clause; and declaring an emergency."

H. B. No. 413, A bill to be entitled "An Act relating to the annexation of territory by junior college districts in certain counties; amending Chapter 290, Acts of the 41st Legislature, Regular Session, 1929, as amended; and declaring an emergency."

H. B. No. 415, A bill to be entitled "An Act providing the mode of election of trustees of independent school districts in certain counties; and declaring an emergency."

H. B. No. 468, A bill to be entitled "An Act relating to filing fees for candidates for State Representative or State Senator in primary elections in certain counties; amending Article 186a, Texas Election Code, as amended; and declaring an emergency."

H. B. No. 470, A bill to be entitled "An Act authorizing all counties, cities, towns, and villages, including Home Rule Charter cities, to operate and maintain parks, and to acquire and/or improve land for park purposes, and to issue negotiable tax bonds for such park purposes; providing that there shall be no limitations on the amount of ad valorem taxes to pay such park expenses or to pay the principal and interest on said park bonds, except for those tax limits imposed by the Texas Constitution; repealing all statutes and parts of statutes in conflict herewith to the extent of such conflict; and declaring an emergency."

H. B. No. 483, A bill to be entitled "An Act to amend Article 3.39, Insurance Code of Texas, (Acts 1951, 52nd Legislature, Chapter 491) as amended by adding thereto a new Part III, designated Separate Accounts; to provide thereby for the establishment and allocation of funds by life insurance companies to one or more separate accounts; to provide for the investment of amounts allocated to separate accounts and accumulation thereon; to provide for the segregation of income gains and losses on each account; to provide for the valuation of assets allocated to a separate account; to declare ownership of amounts allocated to a separate account; to prohibit transferability of

investments between separate accounts and other accounts unless specifically authorized; to provide for the payment of benefits in variable amounts under certain conditions and contracts and only by companies duly authorized by the State Board of Insurance; to provide that nothing contained in this Act shall be deemed to authorize variable annuity contracts other than group annuity contracts meeting the requirements of this Act; to authorize the State Board of Insurance to issue such rules and regulations as may be necessary to carry out the purposes of this Act; to declare the provisions of this Act to be severable; and declaring an emergency."

H. B. No. 485, A bill to be entitled "An Act relating to the salaries of the first and second assistant county attorneys in certain counties; and declaring an emergency."

H. B. No. 492, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas to acquire by purchase or otherwise certain properties in the City of Austin, Travis County, Texas; conferring upon the Board of Regents the power of eminent domain to acquire land for the use of the University; exempting the Regents from depositing bonds as provided in Section 2 of Article 3268, Revised Civil Statutes of Texas; and declaring an emergency."

H. B. No. 496, A bill to be entitled "An Act providing for run-offs in special elections for state senator and state representative; amending Articles 37 and 124 Texas Election Code, as amended, and adding a new Article 32c; and declaring an emergency."

H. B. No. 497, A bill to be entitled "An Act authorizing the construction, acquisition, and equipment of buildings and other structures acquiring land therefor by the governing boards of the several Junior College Districts heretofore or hereafter organized; providing for the issuance of negotiable revenue bonds and notes for certain purposes; providing for the securing and payment of such obligations by the use and pledge of a certain part of student tuition charges; authorizing the pledge of other fees, charges and revenues to the payment of such bonds and notes; providing that the bonds and notes thus authorized shall be legal and

authorized investments; providing for the approval of such bonds and notes by the Attorney General and the registration thereof by the Comptroller of Public Accounts; containing a severance clause; enacting other provisions related to the subject; and declaring an emergency."

H. B. No. 507, A bill to be entitled "An Act amending Article 12.17, Title 122A, Taxation-General of the Revised Civil Statutes of Texas, 1925, so as to provide for the revival of the forfeiture of the right to do business and charter of a corporation and declaring an emergency."

H. B. No. 508, A bill to be entitled "An Act amending Articles 1369-1.01 through 11.01 of Vernon's Texas Civil Statutes and specifically amending Articles 1396-7.01, 7.02, 8.15 and 9.02, Chapter 162, Acts Fifty-sixth Legislature, Regular Session, 1959, so as to provide a method for the administrative forfeiture of charters of Non-Profit Corporations upon the failure of such corporations to file certain reports required to be filed by the Texas Non-Profit Corporation Act; providing for severability; providing a repealing clause; and declaring an emergency."

H. B. No. 513, A bill to be entitled "An Act authorizing counties having a population in excess of 900,000 according to the most recent Federal census to construct, enlarge, furnish, equip and operate a parking station in the vicinity of the courthouse; authorizing the county to lease said parking station; authorizing the issuance of revenue bonds for such purposes; prescribing the procedure for the issuance of such bonds and the method of paying and securing the payment thereof; authorizing the issuance of refunding bonds; containing a severability clause; enacting other provisions relating to the subject and declaring an emergency."

H. B. No. 543, A bill to be entitled "An Act relating to seizure and disposition of certain seines, nets, traps, and other devices in certain tidal waters of Willacy County; amending Section 5, Chapter 247, Acts of the 56th Legislature, Regular Session, 1959; and declaring an emergency."

H. B. No. 551, A bill to be entitled "An Act amending the Texas Uniform Gifts to Minors Act to provide for the donation of life or endowment

insurance policies and annuity contracts to a custodian for the benefit of a minor, under the Texas Uniform Gifts to Minors Act; making the acquisition of life or endowment insurance policies and annuity contracts an authorized investment of custodial property under this Act; repealing all laws in conflict therewith; providing a severability clause; and declaring an emergency."

H. B. No. 626, A bill to be entitled "An Act constituting a local law for the maintenance of public roads and highways in Bandera County by authorizing the County to issue certificates of indebtedness for the purpose of acquiring rights-of-way for designated State Highways, including Farm-to-Market Highways, or for Federal Highways, or for acquiring rights-of-way for County Roads, or for the construction, maintenance or improvement of the County Roads, in Bandera County, Texas; providing that in the acquisition of rights-of-way approved by the State Highway Commission, the cost of removing, relocating or adjusting utilities shall be treated as a proper expense and cost of right-of-way acquisition; stating the terms and conditions of issuance of such certificates of indebtedness; requiring the levy of a tax to pay such certificates; providing for and authorizing the refunding of said certificates; enacting other provisions relating to the subjects; making the Act cumulative; providing a severability clause; and declaring an emergency."

H. B. No. 638, A bill to be entitled "An Act amending Section 7, Subdivision 107, Article 199, Revised Civil Statutes of Texas, 1925, as added by Chapter 300, Acts of the 49th Legislature, 1945, relating to additional compensation authorized to be paid by the Commissioners Court of certain counties to the County Attorney for performing duties of District Attorney; and declaring an emergency."

H. B. No. 652, A bill to be entitled "An Act providing that the Commissioners Court of Jefferson County, Texas, pay the Judges of the 58th Judicial District, the 60th Judicial District, the 136th Judicial District and Criminal District Court, compensation in addition to compensation paid by the State and providing the manner of payment thereof; providing for compensation to be paid

by the Commissioners Court of Jefferson County to the Judge of the Court of Domestic Relations for Jefferson County, and providing the manner of payment thereof; providing that the compensation provisions of this Act be in lieu of that authorized by Chapter 63, Acts of the 55th Legislature, Regular Session, 1957; providing a repealing clause; providing that if any portion of this Act is unconstitutional, it shall not affect the remainder thereof; and declaring an emergency."

H. B. No. 659, A bill to be entitled "An Act relating to permitting the Commissioners Courts of Dallam, Deaf Smith, Hartley, Moore, Oldham and Sherman Counties to pay the salary of the District Court Reporter of the 69th Judicial District of Texas; permitting the Commissioners Courts of Hansford, Hutchinson, and Ochiltree Counties to pay the salary of the District Court Reporter of the 84th Judicial District of Texas; making other provisions relating thereto; providing a severability clause; and declaring an emergency."

H. B. No. 665, A bill to be entitled "An Act amending Article 2326j-6 Vernon's Annotated Civil Statutes Title 42 so as to provide for the application of this Act to the official shorthand reporters for the Judicial District Courts, Civil or Criminal, and the Official shorthand reporter for the County Court of Jefferson County at Law and the Court of Domestic relations for Jefferson County, Texas, providing for the fixing and determining of compensation of such official court reporters by the judges of such Judicial District Courts, Civil or Criminal, and the Judge of the County Court at Law, so as to provide an annual compensation of not more than nine thousand six hundred dollars per annum in addition to compensation for transcripts, statements of facts, etc.; repealing all prior acts in conflict therewith and declaring an emergency."

H. B. No. 680, A bill to be entitled "An Act relating to Water Power Control Districts borrowing money from agencies of the federal government and others; amending Section 21, Chapter 76, Acts of the 43rd Legislature, Regular Session, 1933, as amended; and declaring an emergency."

H. B. No. 699, A bill to be entitled

"An Act authorizing any city having a population of 900,000 or more according to the preceding federal census, acting by and through the official or officials of such city charged with the duty of managing and conducting its fiscal affairs, from time to time to invest any and all trust funds and special deposits in the custody of such city, to the extent of the amount of such funds that such official estimates are not required for immediate disbursement, by purchasing with such funds or some of them obligations of the United States government or by placing such funds or some of them on time deposit with a depository bank of such city; providing that if at any time the funds so placed on time deposits are required to be withdrawn before maturity they may be withdrawn, in which event the depositor bank shall not be liable for interest thereon; providing that said city official is authorized to receive all interest earned on said investments and to place such interest in the general fund of the city as compensation for holding and handling such trust funds and special deposits for the benefit of the persons ultimately entitled to receive the same; providing for the repeal of all laws in conflict herewith and that this Act shall take precedence over any conflicting provisions in the charter or ordinances of any such city; and declaring an emergency."

H. B. No. 700, A bill to be entitled "An Act amending Section 8, House Bill No. 169, Chapter 427, Acts of the 55th Legislature, Regular Session, 1957, as amended by Chapter 128, Acts of the 58th Legislature, Regular Session, 1963, providing for contracts in the conduct of research; and declaring an emergency."

H. B. No. 703, A bill to be entitled "An Act creating the Lubbock State School Independent School District; providing for its territorial limits; providing for trustees; providing for taking census and certifying scholastics; and declaring an emergency."

H. B. No. 749, A bill to be entitled "An Act relating to the duties of the Victoria County Attorney; amending Chapter 306, Acts of the 52nd Legislature, 1951, as amended; and declaring an emergency."

H. B. No. 788, A bill to be entitled "An Act relating to fixing the minimum and maximum salary of the

Official Shorthand Reporter for the 22nd Judicial District of Texas and declaring an emergency."

H. B. No. 821, A bill to be entitled "An Act relating to the election and terms of office of members of the Board of Trustees in certain independent school districts located in counties having a population of not less than one hundred twenty thousand (120,000) and not more than one hundred forty thousand (140,000) according to the last preceding federal census; repealing conflicting laws; and declaring an emergency."

H. B. No. 824, A bill to be entitled "An Act providing for the appointment by the District Judge of the Sixteenth Judicial District of Texas, composed of the Counties of Cooke and Denton, of an official shorthand reporter for such judicial district; providing his qualifications; providing that the salary of said official shorthand reporter shall be fixed and determined by the Judge of said judicial district and not otherwise; providing for the manner of payment of said salary and out of what fund; providing for transcript fees and allowance for hotel and traveling expenses; providing a saving clause; and declaring an emergency."

H. B. No. 844, A bill to be entitled "An Act restoring the jurisdiction of the Franklin County Court; repealing Chapter 231, Acts of the 49th Legislature, 1945; and declaring an emergency."

H. B. No. 846, A bill to be entitled "An Act relating to the salaries of the official shorthand reporters to the 2nd and 145th Judicial Districts; and declaring an emergency."

H. B. No. 848, A bill to be entitled "An Act relating to the amount of bond required before issuance of a writ of attachment; amending Article 279, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 852, A bill to be entitled "An Act to remove deaf children from exemptions to the compulsory school attendance law; amending Article 2893, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 866, A bill to be entitled "An Act relating to the approval or disapproval of the Parks and Wild-

life Commission's rules, regulations, and orders by the Commissioners Court of Bandera County; amending Section 9, Chapter 50, Acts of the 55th Legislature, Regular Session, 1957, as amended; and declaring an emergency."

H. B. No. 884, A bill to be entitled "An Act amending subsection (c), Section 1, Chapter 292, Acts of the 57th Legislature, 1961; authorizing additional compensation for county judges performing the duties of county superintendent; and declaring an emergency."

H. B. No. 918, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Flamingo Isles Municipal Utility District of Galveston County, Texas"; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions relating to addition of land; providing that its bonds are legal and authorized investments; providing for selection of a depository; containing other provisions relating to the subject; providing a severability clause; reciting proof of publication of Constitutional notice; and declaring an emergency."

H. B. No. 926, A bill to be entitled "An Act relating to automatic data processing systems for state agencies; providing for the establishment of the Automatic Data Processing Systems Division in the office of the State Auditor; providing that the Auditor shall develop orderly plans for the development and management of automatic data processing systems in state agencies; describing the duties, responsibilities and authority of the State Auditor and other state agencies with the respect to utilization and acquisition of automatic data processing systems and equipment; providing an effective date; repealing, to the extent of any conflict herewith, Chapter 324, Acts of the 56th Legislature, Regular Session, 1959 (codified as Article 4344b, Vernon's Revised Civil Statutes); containing a severability clause; and declaring an emergency."

H. B. No. 937, A bill to be entitled "An Act amending Acts 1959, 56th

Legislature, Third Called Session, Chapter 1 (designated and compiled as Title 122 A "Taxation-General" of the Revised Civil Statutes of Texas, 1925) as amended by adding to Chapter 16 thereof entitled "Stock Transfer Tax" a new article numbered 16.10, which provides for alternative methods for paying the stock transfer tax to be prescribed by the Comptroller; providing for severability; and declaring an emergency."

H. B. No. 1016, A bill to be entitled "An Act relating to powers and functions of Rehabilitation Districts for handicapped persons; amending paragraphs (b) and (c) of Section 1, Section 6, and Section 7(i), Chapter 106, Acts of the 58th Legislature, 1963; and declaring an emergency."

H. B. No. 1047, A bill to be entitled "An Act relating to certain vehicles; providing for the issuance of temporary permits and the conditions relating thereto; prescribing a fee; providing a method of issuing said permits; defining an offense and prescribing a penalty; making other provisions relating thereto, repealing conflicting laws; containing a severability clause; and declaring an emergency."

H. B. No. 1073, A bill to be entitled "An Act relating to the creation of the Hospital District of Maverick County, Texas, by authority of Section 9, Article IX, Constitution of the State of Texas; and declaring an emergency."

H. J. R. No. 20, Proposing an Amendment to the Constitution of the State of Texas, to provide for six-year terms of office for Senators.

H. C. R. No. 67, Granting permission to E. L. (Shorty) Hawkins to sue the State of Texas and the Texas Highway Department.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk House of Representatives

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committee indicated:

H. B. No. 836, to Committee on State Departments and Institutions.

H. B. No. 559, to Committee on Counties, Cities and Towns.

H. B. No. 429, to Committee on Counties, Cities and Towns.

H. B. No. 415, to Committee on Counties, Cities and Towns.

H. B. No. 244, to Committee on Counties, Cities and Towns.

Senate Bill 59 on Second Reading

Senator Word asked unanimous consent to suspend the regular order of business and take up S. B. No. 59 for consideration at this time.

There was objection.

Senator Word then moved to suspend the regular order of business and take up S. B. No. 59 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Aikin	Kazen
Bates	Krueger
Blanchard	Parkhouse
Calhoun	Reagan
Colson	Richter
Creighton	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Watson
Hazlewood	Word
Hightower	

Nays—8

Cole	Moore
Crump	Patman
Herring	Spears
Kennard	Strong

Absent

Ratliff

Absent—Excused

Dies

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 59, A bill to be entitled "An Act amending the Texas Banking Code of 1943, authorizing option plan for State Banks, etc., and declaring an emergency."

The bill was read second time.

Senator Word offered the following amendment to the bill:

Amend Section 7 of Senate Bill 59

by deleting all of said Section and substituting therefor the following:

"Section 7. Chapter V, Article 6, of The Texas Banking Code of 1943, codified as Article 342-506, Vernon's Texas Civil Statutes, is hereby amended so as to hereafter read as follows:

"Art. 6. Own Stock—Security—Acquisition—Disposition. No state bank shall acquire a lien by pledge or otherwise on its shares of stock nor purchase or acquire title to such stock, except as follows: (a) to fulfill the requirements of a stock option plan as authorized by this Code; (b) to prevent loss upon a loan or investment previously made in good faith, provided that if a state bank acquires such lien upon its stock or acquires title to its stock under this exception, it shall not permit such lien to continue for more than two (2) years, nor shall it hold title to such stock for more than one (1) year, and such stock on which the bank has a lien plus such stock held by it as owner under this exception shall not exceed, in par value, the aggregate of all surplus accounts and undivided profits of the bank."

The amendment was read and was adopted.

Senator Word offered the following amendment to the bill:

Amend Section 8 of Senate Bill 59 by deleting all of said Section and substituting therefor the following:

"Section 8. Chapter V, Article 8, of The Texas Banking Code of 1943, codified as Article 342-508, Vernon's Texas Statutes, is hereby amended so as to hereafter read as follows:

"Art. 8. Installment Loans—Loan Fees Prohibited—Certain Charges Excepted.

"(1) Any bank may make installment loans under this Article and may charge, contract for, collect and receive add-on interest charges not in excess of \$9.00 per \$100.00 per annum on installment loans in principal amounts of \$6,500.00 or less, for the full term of the loan contract. Such interest charges may be collected notwithstanding any agreement to repay the loan in installments, which charges may be computed on the amount of the cash advance from the date of the making of the loan until the date of maturity, providing all installments shall be substantially equal in amount. The interest charges

authorized by this Article shall not be applicable to loans secured by first lien mortgages on real estate, and rates of interest charged on such loans shall continue to be governed by existing laws and constitutional limitations.

"(2) When a loan is made under this Article, the bank shall deliver to the borrower upon his request, or if more than one borrower, to one of them, a copy of the note and all other documents signed by the borrower and if not otherwise reflected in the note and other documents, a statement in writing showing the total amount, in dollars and cents, of charges contracted for at the time the loan is made, or the percentage that the total charges bear to the total amount of the loan expressed as the nominal rate on the average outstanding unpaid balance on the principal amount of the loan.

"(3) If a loan made under this Article is prepaid in full before the final installment date, the borrower shall receive a refund in an amount which shall be at least as great a proportion of the total interest charged as the sum of the periodic balances after the date of prepayment bears to the sum of all the periodic time balances under the schedule of payments in the original contract. No refund shall be required for partial prepayments and no refund of less than \$1.00 need be made.

"(4) In addition to the interest charges provided for in Section (1), no further or other amount whatsoever shall be directly or indirectly charged, contracted for, or received from the borrower in connection with a loan made under this Article. Charges may be made for amounts actually incurred by banks for the following, however, and such charges for costs actually incurred shall not be deemed interest or compensation for the use of the money loaned:

(a) lawful fees for the filing, recording, or releasing in any public office of any instrument securing a loan;

(b) reasonable costs actually expended for repossessing, storing, or selling any security;

(c) fees for noting a lien on or transferring a certificate of title to any motor vehicle or trailer offered as security for a loan;

(d) the cost of recording any lien which is security for a loan;

(e) costs of any abstract or attorney's opinion;

(f) other identifiable costs actually incurred in connection with the making of a loan, and paid to third parties, of the same nature and type as those described herein; and

(g) the cost of any title insurance policy or the identifiable charge or premium for other form of insurance securing a loan, provided that such identifiable charge or premium for such other form of insurance shall not exceed the maximum rates promulgated by the State Board of Insurance therefor, or, in the absence of rates promulgated by the State Board of Insurance, rates which have been filed with and not subsequently disapproved by the Banking Commissioner.

"The charges for costs actually incurred in connection with the making of a loan authorized by this Section shall be applicable to other types of loans authorized by this Code. Any provision of this Code to the contrary notwithstanding, any bank may make loans and charge or collect in advance interest thereon at a rate not exceeding that permitted by law, together with other charges permitted by this Code.

"(5) Any bank which violates the provisions of this Article, except as a result of an accidental and bona fide error, shall be subject to the penalties prescribed in Article 5073, Revised Civil Statutes of Texas, 1925, as amended by the Texas Regulatory Loan Act."

The amendment was read.

Senator Herring offered the following substitute for the pending amendment by Senator Word:

Amend Section 8, of S. B. 59 by deleting all of said Section and substituting therefor the following:

"Art. 8. Installment Loans—Loan Fees Prohibited—Certain Charges Excepted.

"(1) Any bank may make installment loans under this Article and may charge, contract for, collect and receive add-on interest charges not in excess of \$7.00 per \$100.00 per annum on that portion of the cash advance not in excess of \$1,500.00, for the full term of the loan contract. Such interest charges may be collected notwithstanding any agreement to repay the loan in installments, which charges

may be computed on the amount of the cash advance from the date of the making of the loan until the date of maturity, provided all installments shall be substantially equal in amount. The interest charges authorized by this Article shall not be applicable to loans secured by any lien or mortgage on real estate, and rates of interest charged on such loan shall continue to be governed by existing laws and constitutional limitations.

"(2) When a loan is made under this Article, the bank shall deliver to the borrower, or if more than one borrower, to one of them, a copy of the note and all other documents signed by the borrower and a statement in writing showing the total amount, in dollars and cents, of charges contracted for at the time the loan is made, or the percentage that the total charges bear to the total amount of the loan expressed as the nominal rate on the average outstanding unpaid balance on the principal amount of the loan.

"(3) When a loan made under this Article is prepaid in full before the final installment date, the borrower shall receive a refund in an amount which shall be at least as great a proportion of the total interest charged as the sum of the periodic balances after the date of prepayment bears to the sum of all the periodic time balances under the schedule of payments in the original contract. No refund shall be required for partial prepayments and no refund of less than \$1.00 need be made.

"(4) In addition to the interest charges provided for in Section (1), no further or other amount whatsoever shall be directly or indirectly charged, contracted for, or received from the borrower in connection with a loan made under this Article. Charges may be made for amounts actually incurred by banks for the following, however, and such charges for costs actually incurred shall not be deemed interest or compensation for the use of the money loaned:

(a) lawful fees for the filing, recording, or releasing in any public office of any instrument securing a loan;

(b) reasonable costs actually expended for repossessing, storing, or selling any security;

(c) fees for noting a lien on or transferring a certificate of title to any motor vehicle or trailer offered as security for a loan;

(d) the cost of recording any lien which is security for a loan;

(e) costs of any abstract or attorney's opinion;

(f) other identifiable costs actually incurred in connection with the making of a loan, and paid to third parties, of the same nature and type as those described herein; and

(g) the costs of any title insurance policy or the identifiable charge or premium for other form of insurance securing a loan, provided that such identifiable charge or premium for such other form of insurance shall not exceed the maximum rates fixed by the State Board of Insurance therefor.

"The charges for costs actually incurred in connection with the making of a loan authorized by this Section shall be applicable to other types of loans authorized by this Code. Any provision of this Code to the contrary notwithstanding, any bank may make loans and charge or collect in advance interest thereon at a rate not exceeding that permitted by law, together with other charges permitted by this Code.

"(5) Any bank which violates the provisions of this Article, except as a result of an accidental and bona fide error, shall be subject to the penalties prescribed in Article 5073, Revised Civil Statutes of Texas, 1925, as amended by the Texas Regulatory Loan Act, provided that state banks, private banks and national banks are declared to be within the same class under the Constitution and under this and all other laws of this state, and such laws shall apply alike to such banks."

The substitute by Senator Herring for the pending amendment by Senator Word was read.

(Pending discussion of the substitute by Senator Herring for the pending amendment by Senator Word, Senator Moore occupied the Chair.)

(President in the Chair.)

Senator Word moved to table the substitute by Senator Herring for the pending amendment.

Question on the motion to table, Yeas and Nays were demanded.

The motion to table prevailed by the following vote:

Yeas—15

Aikin

Blanchard

Calhoun	Parkhouse
Creighton	Ratliff
Hall	Reagan
Hardeman	Rogers
Hazlewood	Snelson
Hightower	Word
Kennard	

Nays—13

Cole	Patman
Crump	Richter
Harrington	Schwartz
Herring	Spears
Kazen	Strong
Krueger	Watson
Moore	

Absent

Bates	Colson
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Absent—Excused

Dies

Senator Strong offered the following substitute for the pending amendment by Senator Word:

Amend Section 8, of S. B. No. 59 by deleting all of said Section and substituting therefor the following:

"Art. 8. Installment Loans—Loan Fees Prohibited—Certain Charges Excepted.

"(1) Any bank may make installment loans under this Article and may charge, contract for, collect and receive add-on interest charges not to exceed \$9.00 per \$100.00 per annum for the full term of the loan contract on loans with a cash advance of \$1,500.00 or less or add on interest charges not to exceed \$7.50 per \$100.00 per annum for the full term of the loan contract on loans with a cash advance of \$5,000.00 or less. Such interest charges may be collected notwithstanding any agreement to repay the loan in installments, which charges may be computed on the amount of the cash advance from the date of the making of the loan until the date of maturity, provided all installments shall be substantially equal in amount. The interest charges authorized by this Article shall not be applicable to loans secured by first lien mortgages on real estate, and rates of interest charged on such loans shall continue to be governed by existing laws and constitutional limitations.

"(2) When a loan is made under this Article, the bank shall deliver to

the borrower, or if more than one borrower, to one of them, a copy of the note and all other documents signed by the borrower and a statement in writing showing the total amount, in dollars and cents, of charges contracted for at the time the loan is made, or the percentage that the total charges bear to the total amount of the loan expressed as the nominal rate on the average outstanding unpaid balance on the principal amount of the loan.

"(3) When a loan made under this Article is prepaid in full before the final installment date, the borrower shall receive a refund in an amount which shall be at least as great a proportion of the total interest charged as the sum of the periodic balances after the date of prepayment bears to the sum of all the periodic time balances under the schedule of payments in the original contract. No refund shall be required for partial prepayments and no refund of less than \$1.00 need be made.

"(4) In addition to the interest charges provided for in Section (1), no further or other amount whatsoever shall be directly or indirectly charged, contracted for, or received from the borrower in connection with a loan made under this Article. Charges may be made for amounts actually incurred by banks for the following, however, and such charges for costs actually incurred shall not be deemed interest or compensation for the use of the money loaned:

(a) lawful fees for the filing, recording, or releasing in any public office of any instrument securing a loan;

(b) reasonable costs actually expended for repossessing, storing, or selling any security;

(c) fees for noting a lien on or transferring a certificate of title to any motor vehicle or trailer offered as security for a loan;

(d) the cost of recording any lien which is security for a loan;

(e) costs of any abstract or attorney's opinion;

(f) other identifiable costs actually incurred in connection with the making of a loan, and paid to third parties, of the same nature and type as those described herein; and

(g) the costs of any title insurance policy or the identifiable charge or premium for other form of insurance

securing a loan, provided that such identifiable charge or premium for such other form of insurance shall not exceed the maximum rates fixed by the State Board of Insurance therefor.

"The charges for costs actually incurred in connection with the making of a loan authorized by this Section shall be applicable to other types of loans authorized by this Code. Any provision of this Code to the contrary notwithstanding, any bank may make loans and charge or collect in advance interest thereon at a rate not exceeding that permitted by law, together with other charges permitted by this code.

"(5) Any bank which violates the provisions of this Article, except as a result of an accidental and bona fide error, shall be subject to the penalties prescribed in Article 5073, Revised Civil Statutes of Texas, 1925, as amended by the Texas Regulatory Loan Act, provided that state banks, private banks and national banks are declared to be within the same class under the Constitution and under this and all other laws of this state, and such laws shall apply alike to such banks."

"(6) No bank may make a loan under the terms of this Act to a borrower when there is an unpaid loan in existence made by such bank to such borrower under the terms of this Act, and for this purpose a husband and wife shall be considered as one borrower."

The substitute by Senator Strong for the pending amendment by Senator Word was read.

Senator Kennard offered the following amendment to the substitute by Senator Strong for the pending amendment by Senator Word:

Amend floor amendment to S. B. No. 59 by adding, in lieu of the words "Any bank" in the first sentence on line 3 of the amendment, the following:

"Any state bank, national bank, state savings and loan association or federal savings and loan association as defined in this code and any other corporation subject to examination or supervision by the Banking Commissioner of Texas"

The amendment to the substitute for the pending amendment was read.

Senator Word moved to table the amendment to the substitute for the pending amendment.

The motion to table was lost by the following vote:

Yeas—11

Aikin	Kazen
Blanchard	Parkhouse
Colson	Richter
Hall	Snelson
Hardeman	Word
Hightower	

Nays—19

Bates	Moore
Calhoun	Patman
Cole	Ratliff
Creighton	Reagan
Crump	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kennard	Watson
Krueger	

Absent—Excused

Dies

Question recurring on the amendment by Senator Kennard to the substitute by Senator Strong for the amendment by Senator Word, the amendment was adopted.

Record of Vote

Senator Word asked to be recorded as voting "Nay" on adoption of the amendment by Senator Kennard.

Senator Strong offered the following amendment to the substitute for the pending amendment:

Amend Senator Strong substitute amendment to S. B. No. 59 by deleting Section (5) on page 3 and substituting in lieu thereof the following:

"(5) Any bank which violates the provisions of this Article, except as a result of an accidental and bona fide error, shall be subject to the penalties prescribed in Article 5073, Revised Civil Statutes of Texas, 1925, as amended by the Texas Regulatory Loan Act."

The amendment to substitute for the pending amendment was read and was adopted.

The substitute by Senator Strong as amended was then adopted.

The amendment by Senator Word as substituted was then adopted.

On motion of Senator Word and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Record of Votes

Senators Moore, Crump, Spears, Patman, Herring, Blanchard and Krueger asked to be recorded as voting "Nay" on the passage of S. B. No. 59 to engrossment.

Motion to Place Senate Bill 59 on Third Reading

Senator Word moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 59 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—20

Aikin	Krueger
Bates	Parkhouse
Calhoun	Ratliff
Colson	Reagan
Creighton	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Strong
Hazlewood	Watson
Hightower	Word

Nays—10

Blanchard	Kennard
Cole	Moore
Crump	Patman
Herring	Schwartz
Kazen	Spears

Absent—Excused

Dies

Senate Resolution 545

Senator Krueger by unanimous consent offered the following resolution:

BE IT RESOLVED by the Senate of Texas That the Enrolling Clerk be directed to correct Senate Bill No.

381 by striking the words "the Agricultural and Mechanical University of Texas" in Section 1, page 5 of such bill, and substituting in lieu therefor the following: "Texas A & M University."

The resolution was read and was adopted.

Senate Resolution 547

Senator Blanchard by unanimous consent offered the following resolution:

Whereas, Texas Technological College is one of the outstanding institutions of higher education in Texas, and on Saturday, May 15, ex-students will gather at points around the world to celebrate the Eleventh Annual Texas Tech Day; and

Whereas, "Tech Day" brings together many graduates and former students of this college, which has grown with the Panhandle and South Plains areas, and now has an enrollment of almost 14,000, with students from 234 of the state's 254 counties; and

Whereas, Within its six schools of Agriculture, Arts and Sciences, Business Administration, Engineering, Home Economics, and Graduate, are also students from 34 foreign lands and 46 other states, taking advantage of a curriculum which embraces 83 areas of study leading to bachelor's degree, 40 leading to master's degree, and 10 leading to doctorates; and

Whereas, The main campus at Lubbock encompasses 1,839 acres, with 1,149 used as an experimental farm; Texas Tech also operates a 5,910-acre research farm at Pantex, near Amarillo, and the original construction of the entire physical plant of the college is valued at more than \$59 million; and

Whereas, The great achievements of Texas Tech graduates and the high standards of its schools and departments are receiving nationwide recognition, factors which contribute to the progress and development of the entire state; and

Whereas, The Senate of the State of Texas wishes to recognize this fine Texas college, its students and ex-students, and to extend good wishes for a successful celebration; now, therefore, be it

Resolved, That the Senate of the State of Texas of the 59th Legislature congratulates the Ex-Students

Association of Texas Technological College upon the occasion of the Eleventh Annual Texas Tech Day, which will be marked by the meeting simultaneously of more than 30 associations of Tech ex-students throughout the world; and be it further

Resolved, That a copy of this Resolution, under the Seal of the Senate of Texas, be prepared for the Ex-Students Association of Texas Technological College in order that it may be retained by that organization as a token of the esteem of this body.

BLANCHARD

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Kazen, Kennard, Krueger, Moore, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Snelson, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Krueger and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted.

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 853, A bill to be entitled "An Act relating to the exemption of certain deaf and blind students from the payment of tuition at state-supported institutions of collegiate rank; and declaring an emergency."

H. B. No. 647, A bill to be entitled "An Act authorizing the board of trustees of a common school district, under certain circumstances, to proceed in the assessment, equalization and collection of taxes in the manner provided by law for independent school districts; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Reports of Standing Committee

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. B. No. 559, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. B. No. 429, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to whom was referred H. B. No. 415, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. B. No. 119, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

House Bill 429 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent H. B. No. 429 was ordered not printed.

House Bill 415 Ordered Not Printed

On motion of Senator Hardeman

and by unanimous consent H. B. No. 415 was ordered not printed.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. B. No. 268, A bill to be entitled "An Act amending Section 2 and Section 4 of House Bill No. 754, Acts of the Regular Session, Forty-ninth Legislature, providing a distinction between crippled children and needy children; providing that appliances, braces and material necessary for the proper handling of crippled children shall not be considered personal property of the State; etc.; and declaring an emergency."

H. B. No. 655, A bill to be entitled "An Act amending Chapter 88, Acts 41st Legislature, Second Called Session, 1929, as amended, to provide for establishment and issuance of special personalized prestige license plates; providing for an annual fee of Ten (\$10.00) Dollars; authorizing the Highway Department to establish and promulgate procedures for application for an issuance of such plates; preventing duplication and setting priorities; providing for disposition of funds; and declaring an emergency."

H. C. R. No. 66, Recommending a comprehensive public education program on the effects of certain drugs.

H. C. R. No. 82, Pertaining to the retention of the permanently organized Army Reserve Divisions of Texas.

H. C. R. No. 95, Commending Mr. Cletus Grady, etc.

H. C. R. No. 101, Suspending the Joint Rules of the House and Senate.

Reports of Standing Committees

Senator Ratliff by unanimous consent submitted the following report:

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. B. No. 244, have had the same under consideration, and we are instructed to report it back to the

Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senator Watson by unanimous consent submitted the following report:

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to whom was referred H. B. No. 836, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WATSON, Chairman.

Bills Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills:

S. B. No. 33, A bill to be entitled "An Act relating to travel and per diem allowances for members of the State Soil Conservation Board, district supervisors, and delegates and alternates to the State District Conservation Conventions; etc.; and declaring an emergency."

S. B. No. 165, A bill to be entitled "An Act relating to developing outdoor recreation resources and facilities and authorizing participation in federal development programs; and declaring an emergency."

S. B. No. 170, A bill to be entitled "An Act relating to the compensation of the district attorney of the 19th, 54th and 74th Judicial Districts; and declaring an emergency."

S. B. No. 202, A bill to be entitled "An Act amending Article 11.04 of Chapter 11 of the Insurance Code (Acts of 1951, 52nd Legislature, Chapter 491) by providing that the first annual meeting of all of the policyholders be changed from the second Tuesday in March after it shall have received a certificate of authority to transact business of life insurance and annually thereafter, to the fourth Tuesday in April after it shall have received a certificate of authority to transact the business of life insurance, and annually thereafter, or to such other day prior to April 30 of each year after the first year as

the bylaws of the company may prescribe; etc.; and declaring an emergency."

S. B. No. 217, A bill to be entitled "An Act authorizing certain members of the 57th Legislature to become members of the retirement system for state employees; amending Subsection B, Section 3, Chapter 352, Acts of the 50th Legislature, 1947, as amended; and declaring an emergency."

S. B. No. 259, A bill to be entitled "An Act to amend acts of the fifty-seventh Legislature, Acts 1961, Chapter 486, Page 1084 (codified as Article 8247b-1 of Vernon's Texas Civil Statutes annotated) to make the provisions thereof applicable and available to any navigation district heretofore or hereafter organized and operating in the State of Texas; and declaring an emergency."

S. B. No. 328, A bill to be entitled "An Act applicable to certain cities and water control and improvement districts; authorizing any such district to sell and such city to purchase certain district water and sewer properties; authorizing the city to issue its water and sewer system revenue bonds to purchase such properties and prescribing the procedure for the issuance of the bonds; etc.; and declaring an emergency."

S. B. No. 330, A bill to be entitled "An Act relating to the salary of the Judge of the County Court No. 2 of Galveston County; amending Section 9, Chapter 187, Acts of the 53rd Legislature, Regular Session, 1953, as amended; and declaring an emergency."

S. B. No. 452, A bill to be entitled "An Act conferring the right of eminent domain on the Texas Board of Corrections; and declaring an emergency."

S. B. No. 458, A bill to be entitled "An Act to amend the airport zoning Act of 1947, Acts of the 50th Legislature, Regular Session, Chapter 391, Page 748 (compiled as Article 46e, of Vernon's Texas Civil Statutes), as amended, to make the provision thereof applicable to any installation related to flight, including installations for tracking and/or data acquisition, making all other provisions of the act applicable to such installations and operations and regulating the use of property under the provi-

sions of the airport zoning act within a five-mile radius of the airport or installation related to flight; and declaring an emergency."

S. B. No. 467, A bill to be entitled "An Act relating to removing the territory of a school district from a county junior college district or a union junior college district lying wholly within one county under certain conditions; adding Sections 19a and 19b to Chapter 290, Acts of the 41st Legislature, Regular Session, 1929, as amended; and declaring an emergency."

S. B. No. 400, A bill to be entitled "An Act amending Senate Bill No. 273, Acts of the 54th Legislature, Regular Session, 1955, Chapter 258, codified as Article 199-9 of Vernon's Civil Statutes, by adding a new section thereto, to be numbered Sec. 10A, to provide for transfer of cases, both civil and criminal, between the Ninth Judicial District of Texas and the Second Ninth Judicial District of Texas and making other provisions relating to organization, jurisdiction and handling of cases in said Courts, and declaring an emergency."

House Bills and Resolution on First Reading

The following bills and resolution received from the House were read the first time and referred to the committees indicated:

H. B. No. 652, To the Committee on Counties, Cities and Towns.

H. B. No. 844, To the Committee on Counties, Cities and Towns.

H. B. No. 345, To the Committee on Jurisprudence.

H. B. No. 340, To the Committee on Game and Fish.

H. B. No. 325, To the Committee on Game and Fish.

H. C. R. No. 67, To the Committee on Jurisprudence.

Senate Concurrent Resolution 68 on Second Reading

Senator Richter asked unanimous consent to suspend the regular order of business and take up S. C. R. No. 68 for consideration at this time.

There was objection.

Senator Richter then moved to suspend the regular order of business and take up S. C. R. No. 68 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Aikin	Kennard
Bates	Moore
Cole	Parkhouse
Colson	Patman
Crump	Richter
Hall	Rogers
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	

Nays—8

Blanchard	Krueger
Calhoun	Ratliff
Creighton	Reagan
Hardeman	Word

Absent

Schwartz

Absent—Excused

Dies

The President laid before the Senate on its second reading the following resolution:

S. C. R. No. 68, Creating a Planning Agency Council for Texas.

The resolution was read and was adopted.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the adoption of S. C. R. No. 68.

Reports of Standing Committees

Senator Snelson by unanimous consent submitted the following report:

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 652, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

SNELSON, Vice-Chairman.

Senator Ratliff by unanimous consent submitted the following report:

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 844, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

Senator Creighton by unanimous consent submitted the following reports:

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 325, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CREIGHTON, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 340, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CREIGHTON, Chairman.

House Bill 652 Ordered Not Printed

On motion of Senator Harrington and by unanimous consent H. B. No. 652 was ordered not printed.

Senate Bill 55 on Third Reading

Senator Moore moved to suspend the regular order of business to take up S. B. No. 55 for consideration at this time.

The motion prevailed by the following vote:

Yeas—19

Aikin	Colson
Bates	Crump
Calhoun	Hall
Cole	Harrington

Hazlewood	Reagan
Herring	Richter
Hightower	Spears
Moore	Watson
Parkhouse	Word
Patman	

Nays—9

Blanchard	Ratliff
Creighton	Rogers
Hardeman	Snelson
Kazen	Strong
Krueger	

Absent

Kennard	Schwartz
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Absent—Excused

Dies

The President then laid before the Senate on its third reading and final passage:

S. B. No. 55, A bill to be entitled "An Act relating to residence requirements for employees and officials of city governments; and declaring an emergency."

The bill was read third time.

Senator Parkhouse offered the following amendment to the bill:

Amend Senate Bill 55 by adding to Section 1 sub-section (c) to read as follows:

"That where the charter requires an appointive official to be resident of the City, then such provisions of the charter shall remain in effect."

The amendment was read and was adopted by the following vote:

Yeas—27

Aikin	Kazen
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Watson
Herring	Word
Hightower	

Nays—2

Kennard	Strong
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Absent

Schwartz

Absent—Excused

Dies

The bill as amended was then finally passed.

Record of Votes

Senators Ratliff, Snelson, Creighton, Strong, Kazen, Blanchard and Hardeman asked to be recorded as voting "Nay" on the final passage of S. B. No. 55.

Senate Bill 310 with House Amendments

Senator Hazlewood called S. B. No. 310 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

Committee Amendment No. 1

Amend S. B. No. 310, Article I, Section 2, by striking out the language contained therein, and by substituting in lieu thereof the following:

"The Board may delegate to the Commissioner of the Coordinating Board, Texas College and University System, the powers, duties and functions authorized by this Act, except those relating to the sale of bonds and the letting of Contracts for insurance."

Committee Amendment No. 2

Amend S. B. No. 310, Article III, Section 7, by striking out all the language contained therein, and by substituting in lieu thereof the following:

"The Board may contract with any insurance company, or companies licensed to do business in Texas for insurance on the life of any student borrower in an amount sufficient to retire the principal and interest owed under a loan made as provided in this Act. The cost of such insurance shall be paid by the student borrower. No contract for insurance as provided for in this Section may be approved except by the Board, and during a regular meeting attended by a quorum of the total Board membership."

The amendments were read.

Senator Hazlewood moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—29

Aikin	Krueger
Bates	Moore
Blanchard	Parkhouse
Calhoun	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word
Kennard	

Absent

Cole

Absent—Excused

Dies

Senate Bill 141 on Third Reading and Final Passage

On motion of Senator Creighton and by unanimous consent, the President laid before the Senate on its final passage S. B. No. 141 (The bill having been read the third time on Tuesday, April 13, 1965).

Question—Shall S. B. No. 141 be finally passed?

The bill was then finally passed.

Record of Votes

Senators Patman and Spears asked to be recorded as voting "Nay" on the final passage of S. B. No. 141.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 92, Requesting the Coordinating Board, Texas College

and University System to make certain studies relative to medical education in Texas.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

**House Bills and Resolutions
on First Reading**

The following bills and resolutions received from the House, were read the first time and referred to the committees indicated:

H. B. No. 647, To the Committee on Counties, Cities and Towns.

H. B. No. 312, To the Committee on Counties, Cities and Towns.

H. B. No. 513, To the Committee on Counties, Cities and Towns.

H. B. No. 348, To the Committee on Finance.

H. B. No. 551, To the Committee on Insurance.

H. J. R. No. 20, To the Committee on Constitutional Amendments.

H. B. No. 1073, To the Committee on Counties, Cities and Towns.

H. C. R. No. 92, To the Committee on Insurance.

Reports of Standing Committee

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. B. No. 647, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. B. No. 312, have had the same under consideration, and we are instructed to report it back to the

Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. B. No. 513, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Memorial Resolution

S. R. No. 535—By Senator Snelson: Memorial resolution for John Claiborne Dunagan.

Welcome and Congratulatory Resolutions

S. R. No. 531—By Senator Harrington: Commending the purpose of Agency for International Development in the United States Department of State and participants in program to observe operation of trade union movement.

S. R. No. 532—By Senator Herring: Extending welcome to students and teachers of Pease Elementary School of Austin.

S. R. No. 533—By Senators Aikin and Patman: Extending welcome to Mr. and Mrs. Cooper Blankenship of Texarkana.

S. R. No. 534—By Senator Crump: Extending welcome to FFA and Future Homemakers and teacher of Priddy High School.

S. R. No. 536—By Senator Watson: Extending welcome to Fred B. Smith of Waco.

S. R. No. 537—By Senator Watson: Extending welcome to Tom Truman of Waco, et al.

S. R. No. 538—By Senator Word: Extending welcome to students and sponsors of Comanche County 4-H Council.

S. R. No. 539—By Senator Watson: Extending welcome to Jack Womack of Waco.

S. R. No. 540—By Senator Watson: Extending welcome to students and

teachers of Academy Elementary School of Temple.

S. R. No. 541—By Senator Watson: Extending welcome to students and teachers of Academy Elementary School of Temple.

S. R. No. 542—By Senator Snelson: Extending welcome to Mrs. Janet Massey, et al., of Midland.

S. R. No. 543—By Senator Hall: Extending welcome to Miss Judie Warren of Commerce.

S. R. No. 544—By Senator Hall: Extending welcome to Dr. Quincy Atha and daughter of Commerce.

S. R. No. 546—By Senator Watson: Extending welcome to T. L. Cardwell, et al., of Waco.

S. R. No. 548—By Senator Herring: Extending welcome to students and teachers of Metz Elementary School of Austin.

Adjournment

On motion of Senator Aikin the Senate at 5:20 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Reports of Standing Committee

Senator Hardeman submitted the following reports:

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 292, An Act authorizing the Board of Directors of Texas A & M University to convey flood control easements over land under the jurisdiction and control of the Board of Directors, to Water Control and Improvement Districts of this State; making other provisions relating thereto; and declaring an emergency. have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 212, An Act authorizing the Board of Regents of East Texas State College to exchange certain state-owned land for certain land owned by Mr. Lloyd J. Wilkins of Commerce, Hunt County, Texas; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 424, An Act relating to and fixing minimum and maximum salary of the official shorthand reporter for the 97th Judicial District of Texas; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 132, An Act authorizing the Parks and Wildlife Commission to quitclaim the State's interest in Independence State Park, known as the Old Baylor property, to Baylor University; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 192, An Act relating to the compensation of the Commission-

ers of San Patricio County Conservation and Reclamation District No. 1; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 33, An Act relating to travel and per diem allowances for members of the State Soil Conservation Board, district supervisors, and delegates and alternates to the State District Conservation Conventions; changing the time supervisors are elected; deleting obsolete provisions relating to delegates to the State District Conservation Conventions; amending Subsections C and D, Section 4; and Section 6, Chapter 3, page 7, General Laws, Acts of the 46th Legislature, Regular Session, 1939, as amended, and Chapter 332, Acts of the 53rd Legislature, Regular Session, 1953, as amended; repealing Subdivision (5), Section 3, and Subsection B, Section 4, Chapter 3, page 7, General Laws, Acts of the 46th Legislature, Regular Session, 1939, as amended; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 452, An Act conferring the right of eminent domain on the Texas Board of Corrections; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. 217, An Act authorizing certain members of the 57th Legislature to become members of the retirement system for state employees; amending Subsection B, Section 3, Chapter 352, Acts of the 50th Legislature, 1947, as amended; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 467, An Act relating to removing the territory of a school district from a union junior college district lying wholly within one county under certain conditions; adding Section 19a to Chapter 290, Acts of the 41st Legislature, Regular Session, 1929, as amended; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. 165, An Act designating the Parks and Wildlife Department of the State of Texas as the State Agency to cooperate with the Federal Government in the administration of the "Land and Water Conservation Fund Act of 1965" (Public Law 88-578); authorizing the Parks and Wildlife Department to enter into any essential agreements with the Federal Government and with any political subdivisions of the state, including cities, counties, water districts, river authorities, and special districts in outdoor recreation projects, for the purpose of carrying out the provisions of this Act; authorizing certain state and local government agencies to engage in recreation projects; authorizing the Parks and Wildlife Department to accept and expend moneys from the Federal Government and/or moneys received from political subdivisions of the state and/or other sources; au-

thorizing the Department to adopt rules and regulations for administering the program and projects and for determining the method of administration; authorizing the Department to establish a comprehensive state-wide outdoor recreation program for the state; creating a special fund in the Treasury to be known as the "State Land and Water Conservation Fund" and appropriating said fund to the Department; providing a repealing clause; a savings clause; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 458, An Act to amend the Airport Zoning Act of 1947, Acts of the 50th Legislature, Regular Session, Chapter 391, Page 784 (compiled as Article 46E, of Vernon's Texas Civil Statutes), as amended, to make the provision thereof applicable to any installation related to flight, including installations for tracking and/or data acquisition, making all other provisions of the act applicable to such installations and operations and regulating the use of property under the provisions of the Airport Zoning Act within a five-mile radius of the airport or installation related to flight; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 202, An Act amending Article 11.04 of Chapter 11 of the Insurance Code (Acts of 1951, 52nd Legislature, Chapter 491) by providing that the first annual meeting of all of the policyholders of each mutual life insurance company insuring the lives of individuals on the mutual level premium, legal reserve plan, be changed from the second Tuesday in

March after it shall have received a certificate of authority to transact the business of life insurance and annually thereafter, to the fourth Tuesday in April after it shall have received a certificate of authority to transact the business of life insurance, and annually thereafter, or to such other day prior to April 30 of each year after the first year as the bylaws of the company may prescribe; by providing that when the Board of Directors of a mutual life insurance company insuring the lives of individuals on the mutual level premium, legal reserve plan, shall consist of nine or more members the bylaws of the corporation may provide for staggered terms of office of the directors by providing that directors be divided into either two or three classes; by providing for special meetings of policyholders of mutual life insurance companies insuring the lives of individuals on the mutual level premium, legal reserve plan, by providing that each policyholder of a mutual life insurance company insuring the lives of individuals on the mutual level premium, legal reserve plan shall be entitled to one vote for each Five Hundred Dollars (\$500.00) of insurance held by him at special meetings of policyholders; by providing that any policyholder of a mutual life insurance company insuring the lives of individuals on the mutual level premium, legal reserve plan may execute his proxy authorizing and entitling the holder to exercise his voting powers, unless such proxy shall be revoked previous to such special meeting; repealing conflicting laws; providing for severability; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 259, An Act to amend Acts of the 57th Legislature, Acts 1961, Chapter 486, Page 1084, (codified as Article 8247b-1 of Vernon's Texas Civil Statutes Annotated) to make the provisions thereof applica-

ble and available to any Navigation District heretofore or hereafter organized and operating in the State of Texas; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 330, An Act relating to the salary of the Judge of the County Court No. 2 of Galveston County; amending Section 9, Chapter 187, Acts of the 53rd Legislature, Regular Session, 1953, as amended; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 170, An Act relating to the compensation of the district attorney of the 19th, 54th and 74th Judicial Districts; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 328, An Act applicable to certain cities and water control and improvement districts; authorizing any such district to sell and such city to purchase certain district water and sewer properties; authorizing the City to issue its water and sewer system revenue bonds to purchase such properties and prescribing the procedure for the issuance of the bonds; prescribing the provisions to be made for the payment of outstanding bonds of the district and

other district indebtedness, if any providing for the integration of the district properties with the City's water and sewer system and the operation thereof by the board of trustees or public service board operating the City's system; providing for abolishing the district; making provisions to avoid impairing rights of holders of district bonds by reverting the district properties to separate operation and maintenance; enacting other provisions related to the subject; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 400, An Act amending Senate Bill No. 273, Acts of the 54th Legislature, Regular Session, 1955, Chapter, 258, codified as Article 199-9 of Vernon's Civil Statutes, by adding a new Section thereto, to be numbered Section 10A, to provide for transfer of cases, both civil and criminal, between the Ninth Judicial District of Texas and the Second Ninth Judicial District of Texas and making other provisions relating to organization, jurisdiction and handling of cases in said courts; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Sent to the Governor

April 26, 1965

S. B. No. 192
S. B. No. 132
S. B. No. 424
S. B. No. 212
S. B. No. 292
S. B. No. 330
S. B. No. 400
S. B. No. 217
S. B. No. 467
S. B. No. 170
S. B. No. 202
S. B. No. 328
S. B. No. 33
S. B. No. 259
S. B. No. 165
S. B. No. 452

FIFTY-FIFTH DAY

(Tuesday, April 27, 1965)

The Senate met at 10:30 o'clock a.m. pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kazen
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent—Excused

Kennard

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with, and the Journal was approved.

Leave of Absence

Senator Kennard was granted leave of absence for today on account of important business on motion of Senator Spears.

Reports of Standing Committees

Senator Herring submitted the following report:

Austin, Texas,
April 27, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 67, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Senator Ratliff submitted the following report: